



MONROE CITY COUNCIL

Regular Business Meeting
Tuesday, August 11, 2020, 7:00 P.M.
Zoom Online Meeting Platform

Mayor
Geoffrey Thomas

Councilmembers
*Ed Davis, Mayor Pro Tem;
Patsy Cudaback; Kevin Hanford;
Jason Gamble, Jeff Rasmussen;
Kirk Scarboro, & Heather Rousey*

MEETING MINUTES

CALL TO ORDER

The City Council meeting was held virtually via Zoom. Due to the COVID-19 pandemic, and Proclamation 20-28.8 issued by Governor Jay Inslee, in-person attendance is not permitted at this time.

Mayor Thomas called the meeting to order at 7:00 p.m.

ROLL CALL

Councilmembers present:

Davis, Cudaback, Hanford, Gamble, Rasmussen¹, Scarboro, and Rousey

Staff present:

Pfister, Knight, Roberts, Feilberg, Warthan, Jolley, Adams, Huebner, Christian, Klinkers, Bright, and City Attorney Lell

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Cudaback

PUBLIC COMMENTS

This time is set aside for members of the public to speak to the City Council on any issue related to the City of Monroe; except any quasi-judicial matter subject to a public hearing. Three minutes will be allowed per speaker.

There were no comments from the public.

EXECUTIVE SESSION

1. To Discuss Property Acquisition Pursuant to RCW 42.30.110(1)(b)
2. To Discuss with Legal Counsel two (2) Items Related to Potential Litigation Pursuant to RCW 42.30.110(1)(i)

Mayor Thomas noted the need for an executive session and read the following statement:

The City Council will now convene an executive session for the purpose of discussing the acquisition of real property pursuant to RCW 42.30.110(1)(b), and to discuss potential litigation with legal counsel pursuant to RCW 42.30.110(1)(i) for 30 minutes. I will notify the Deputy City Clerk by text message if the executive session has been extended; and the Deputy City Clerk will notify the public. Council is anticipated to take action following the executive session. For purposes of the executive session, the Council will leave the current, publicly accessible Zoom meeting and will join a new Zoom meeting, the dial-in information for which has been separately provided to the Council Members.

Councilmember Gamble read the following statement:

Mayor, I understand that one of the executive session items this evening involves a matter in which I could potentially be deemed to have some degree of personal, business, employment or other interest. Out of an abundance of caution, and in order to avoid any appearance of impropriety, I am voluntarily recusing myself from participating in the discussion regarding that item. I would respectfully ask that you notify me when the City Council has finished its discussion regarding that item, and I will join the executive session at that time. Thank you.

¹ Councilmember Rasmussen joined the meeting, in executive session at 7:09 p.m.



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The meeting recessed to executive session at 7:06 p.m. for 30 minutes².

At 7:36 p.m. the executive session was extended to 7:45 p.m.

At 7:45 p.m. the executive session was extended to 7:55 p.m.

At 7:55 p.m. the executive session was extended to 8:05 p.m.

At 8:05 p.m. the executive session was extended to 8:15 p.m.

At 8:15 p.m. the executive session was extended to 8:25 p.m.

At 8:25 p.m. the executive session was extended to 8:35 p.m.

At 8:35 p.m. the executive session was extended to 8:45 p.m.

The executive session ended at 7:45 p.m.

The meeting reconvened to regular session at 7:46 p.m.

Councilmember Cudaback moved to add an item to the agenda for tonight's meeting authorizing the execution of transactional documents related to the North Hill property acquisition. The motion was seconded by Councilmember Hanford. On vote, motion carried 4-3-0; with Councilmembers Scarboro, Rousey, and Gamble opposed.

This will be considered as New Business #7 on the agenda.

PUBLIC COMMENTS

Mayor Thomas provided an additional opportunity for public comment.

There were no comments from the public.

FINAL ACTION/CLOSED RECORD HEARING

1. AB20-116: Closed Record Proceeding to Consider and Issue a Final Decision on the Hearing Examiner's Recommendation Regarding the Kestrel Ridge Preliminary Plat and Planned Residential Development Application (PLPRD2018-01) (A. Bright)

Amy Bright, Associate Planner, provided background information on AB20-116; noted the materials included in the agenda packet; and explained the need for a Closed Record Hearing.

Zach Lell, City Attorney, provided additional direction to Council; explained the quasi-judicial process and subsequent appearance of fairness doctrine.

Mr. Lell asked Council three sets of questions related to the appearance of fairness doctrine. There were no affirmative responses by Council.

Mayor Thomas opened the floor to the public for appearance of fairness challenges. There were no comments from the public.

Mr. Lell noted Section 13 of the Council Rules of Procedure, and reminded Council that any decision made this evening must be based entirely on information contained in the factual record.

Councilmember Rousey moved to adopt Resolution 013/2020, approving the Kestrel Ridge Preliminary Plat and Planned Residential Development (PRD), a preliminary plat located within the Single Family Residential – 4 units per acre (R4) zoning district. Setting forth supportive

² Councilmember Gamble joined the executive session at 7:27 p.m.



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findings, providing for severability; and establishing an effective date. The motion was seconded by Councilmember Davis. On vote, motion carried 7-0

CONSENT AGENDA

1. Approval of the Minutes: July 21, 2020, Regular Study Session
2. Approval of AP Checks and ACH Payments
3. Approval of Payroll Warrants and ACH Payments
4. AB20-117: Authorize the Mayor to sign Supplement Agreement No. 2 with Universal Field Services for Chain Lake Road Phase 2a, Non-Motorized Pedestrian Path ROW Acquisition (S. Peterson)

Councilmember Davis moved to approve the consent agenda. The motion was seconded by Councilmember Rasmussen. On vote, motion carried 7-0

NEW BUSINESS

1. AB20-118: Appointments to the Community Human Services Advisory Board (CHSAB) (R. Adams)

Rachel Adams, Project Management Consultant, provided background information on AB20-118; and commented on the following topics:

- Engagement
- CHSAB scope of work
- Interview process
- Applicant backgrounds

Mayor Thomas commented on the applicant pool, and thanked those who applied. Councilmember Hanford also thanked the applicants.

Councilmember Hanford moved to confirm the Mayor's appointment of: Tony Balk, Jim Bloss, Roger Evans, Lynsey Gagnon, James Harrigan, Bryan Lipsky, Jose Luis, Sarah Lunstrum, Amber Mehta, Amy Plumb and Aisha Sial to the membership of the Community Human Services Advisory Board, and Brian Stoddard, Todd Strickler and Bridgette Tuttle as Ex Officio members of the Community Human Services Advisory Board. The motion was seconded by Councilmember Cudaback. On vote, motion carried 7-0

2. AB20-119: 2021 Legislative Priorities (R. Huebner)

Rich Huebner, Management Analyst, provided background information on AB20-119; and introduced city lobbyist Trevor Justin from Strategies360.

Mr. Justin commented on the following topics:

- 2020 legislative session highlights
- 2020 focus areas
- Potential 2021 focus areas
- Bringing back to council in September for adoption

3. AB20-120: Ordinance 010/2020, 2020 Budget Amendment, First Reading (B. Hasart)



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Becky Hasart, Finance Director/Interim City Clerk, provided background information on AB20-120; reviewed exhibits; and noted that this item will be brought back to Council for further discussion and a second reading of the proposed Ordinance.

Councilmember Gamble moved to accept as first reading Ordinance No 010/2020, amending the budget for fiscal year 2020 to account for actual beginning fund balances, new or decreased revenues and expenditures; providing for severability, and establishing an effective date. The motion was seconded by Councilmember Cudaback. On vote, motion carried 7-0.

4. AB20-121: Ordinance 011/2020, Amending Chapter 9.25.040 MMC, Violation of Order, Stay out of Drug Areas (SODA), First Reading, (J. Jolley)

Chief Jolley provided background information on AB20-121; and noted updates to the previous Ordinance.

Discussion ensued related to the following topics: fines; punishments; practice in other jurisdictions.

Councilmember Davis moved to adopt Ordinance No. 011/2020, AMENDING CHAPTER 9.25 MMC STAY OUT OF DRUG AREAS (SODA) ORDERS; CLARIFYING THE LEGAL EFFECT OF SODA ORDER VIOLATIONS AS SEPARATELY PUNISHABLE GROSS MISDEMEANORS; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE. The motion was seconded by Councilmember Rousey³. On vote, motion carried 7-0

5. AB20-122: Approval of Community Relief Grant Awards (R. Adams / R. Huebner)

Mr. Huebner provided background information on AB20-122. Ms. Adams reviewed the recipients and proposed grant award.

The following Councilmembers recused themselves from discussion and vote for having some degree of interest in the grant recipient list: Rasmussen, Cudaback, and Gamble

Councilmember Hanford moved to approve the recommended Community Relief Grant awards, authorize the Mayor to execute the necessary agreements, and approve a second round of the Community Relief Grant if funding becomes available. The motion was seconded by Councilmember Scarboro. On vote, motion carried 4-0

6. AB20-123: Utility Fee Grant (R. Huebner)

Mr. Huebner provided background information on AB20-123; and commented on the following topics:

- Budget reallocation
- CARES Act funds
- Treasury Department FAQs
- Appropriate use of funds

³ Clerk's note: the motion was read as final adoption, not as the first reading as intended. This item will be brought back for a second reading on August 25, 2020.



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Councilmember Hanford moved to approve the revised Coronavirus Relief Funds Budget and the implementation of the Utility Fee Grant program. The motion was seconded by Councilmember Davis. On vote, motion carried 7/0

7. North Hill Property Acquisition

Mike Farrell, Parks & Recreation Director, shared a PowerPoint presentation highlighting the following topics:

- PROS Plan level of service objective
- Parkland deficiencies
- Recreation opportunities
- Value of land
- 2020 budget amendment, park capital improvement fund
- Funding sources
- Map of land and surrounding area

Discussion ensued related to the following topics: additional information, and additional time needed to review

Councilmember Cudaback moved to authorize the Mayor to sign the Purchase and Sale Agreement and Right of first Refusal to acquire property for park land and public use in substantially the form presented to Council, clarifying that such authorization is separate and distinct from the future, pre-closing authorization required pursuant to subsection 6(a)(i) of the Purchase and Sale Agreement; and expressly authorize the Mayor to make further minor revisions deemed necessary and appropriate. The motion was seconded by Councilmember Rasmussen. On vote, motion carried 4-3-0; with Councilmembers Scarboro, Gamble, and Rousey opposed.

STAFF/DEPARTMENT REPORTS

1. Economic Development (D. Knight)

Deborah Knight, City Administrator, noted that the 2020 Business Survey would be complete in time for the Council's budget discussion.

2. Parks & Recreation (M. Farrell)

Mr. Farrell noted the report included in the agenda materials.

3. Police Department (J. Jolley)

Chief Jolley noted the report included in the agenda materials; and commented on the Department's booth at the farmers market.

4. Public Works (J. Roberts)

Jakeh Roberts, Deputy Public Works Director, noted the report included in the agenda materials; and commented on reports of blue-green algae at Lake Tye.



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COUNCILMEMBER REPORTS

Councilmember Rasmussen reported that he will be absent at the August 18 council meeting.

MAYOR/ADMINISTRATIVE REPORTS

1. City Administrator Update (D. Knight)

Ms. Knight reported on the following topics:

- First CHSAB meeting on August 20
- Working on service provider scope of work for temporary shelter
- Update on Lowe's CC&Rs
- Kudos to Chief Jolley and other staff for their public presence at the farmers market

2. Mayor's Update/Monroe This Week (August 7, 2020, Volume 6, Edition 30)(Mayor Thomas)

Mayor Thomas reported on the following topics:

- CHSAB interviews
- Upcoming meeting at St. Mary's of the Valley

ADJOURNMENT

There being no further business, the motion was made by Councilmember Rasmussen and seconded by Councilmember Scarboro to adjourn the meeting. On vote, motion carried 7-0.

MEETING ADJOURNED: 9:54 p.m.

Geoffrey Thomas, Mayor

Gina Pfister, Deputy City Clerk